

---

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

---

In Re: ) Case No.: 19-07584  
James B McKay, Jr. )  
 ) Chapter 13  
 )  
 ) Judge: Donald R Cassling  
Debtor(s) )

TO: Trustee Tom Vaughn, 55 E. Monroe Street, #3850, Chicago, IL 60603;

See attached service list.

**PROOF OF SERVICE**

The undersigned, an attorney, certifies that he transmitted a copy of this notice and the attached Amended Chapter 13 Plan to the above named creditor and also to the attached service list via regular U.S. Mail with postage prepaid from the mailbox located at 4131 Main St. Skokie, IL 60076, on May 16, 2019.

*/s/ David H. Cutler*  
Attorney for the Debtor

Cutler & Associates, Ltd.  
4131 Main St.  
Skokie, IL 60076  
Phone: (847) 673-8600

Allied International Credit Corp  
6800 Paragon Place  
Suite 400  
Richmond, VA 23230

Armco, LLC dba Aaron's  
128 W Lake St  
Addison, IL 60101

Bank of America  
PO Box 53137  
Phoenix, AZ 85702

Bank of the West  
PO Box 4024  
Alameda, CA 94501-0424

Bank Of The West (Acct ending 0325)  
Attn: Bankruptcy  
180 Montgomery Street 25th Floor  
San Francisco, CA 94104

Bankcard Services  
PO Box 4499  
Beaverton, OR 97076-4499

Capital One  
Attn: Bankruptcy  
Po Box 30285  
Salt Lake City, UT 84130

Capital One Bank  
PO Box 30285  
Salt Lake City, UT 84130-0285

Carson Smithfield, LLC  
PO Box 9216  
Old Bethpage, NY 11804

Central DuPage Emergency Physicians  
PO Box 10859  
Daytona Beach, FL 32120-0859

Charles D. Goodsite, LTD  
929 W. Wise Rd  
Schaumburg, IL 60193

Christopher Johnson (Rental Properties)  
8040 Camden Way  
Canfield, OH 44406

Citibank, NA  
Centralized Bankruptcy  
Po Box 790034  
St Louis, MO 63179

Citibank, NA  
701 East 60th Street North  
Sioux Falls, SD 57104

Collection Service Center  
PO Box 560  
New Kensington, PA 15068-0560

Collection Service Center, Inc.  
Attn: Bankruptcy  
Po Box 560  
New Kensington, PA 15068

Conduent/US Bk Natl Brazos  
Attn: Claims Department  
Po Box 7051  
Utica, NY 13504

Continental Finance (Matrix Card)  
PO Box 8099  
Newark, DE 19714-8099

Continental Finance Company  
Attn: Bankruptcy  
Po Box 8099  
Newark, DE 19714

Credence Resource Management LLC  
PO Box 2267  
Southgate, MI 48195-4267

Credit One Bank  
Attn: Bankruptcy Department  
Po Box 98873  
Las Vegas, NV 89193

Credit One Bank  
PO Box 98873  
Las Vegas, NV 89193-8873

Cutlery & More  
135 Prairie Lake Rd  
East Dundee, IL 60118

Department of Education/Nelnet  
Attn: Claims  
Po Box 82505  
Lincoln, NE 68501

Deville Asset Management, LTD  
PO Box 1987  
Colleville, TX 76034-1987

Deville Mgmt  
Attn: Bankruptcy  
Po Box 1987  
Colleyville, TX 76034

Exeter Finance Corp  
Po Box 166008  
Irving, TX 75016

First Premier Bank  
Attn: Bankruptcy  
Po Box 5524  
Sioux Falls, SD 57117

Focus Receivables Mana  
1130 Northchase Parkway  
Suite 150  
Marietta, GA 30067

Frost-Arnett Company  
PO Box 198988  
Nashville, TN 37219-8988

Genesis Bankcard Services  
Attn: Bankruptcy Department  
Po Box 4477  
Beaverton, OR 97076

HealthLab  
25 N Winfield Rd  
Winfield, IL 60190

Jefferson Capital Systems  
PO Box 1120  
Charlotte, NC 28201-1120

Jefferson Capital Systems  
16 McLeland Rd  
Saint Cloud, MN 56303

Jefferson Capital Systems, LLC  
Po Box 1999  
Saint Cloud, MN 56302

Jenifer Silba  
581 Plum Grove Rd, Apt 1C  
Roselle, IL 60172

Kay Jewelers /Genesis FS Card Services  
PO Box 23026  
Columbus, GA 31902-3026

LP Services Group  
333 City Blvd W.  
Orange, CA 92868

MEA Elk Grove, LLC  
PO Box 637544  
Cincinnati, OH 45263-7544

Mercy Health Physicians  
PO Box 630584  
Cincinnati, OH 45263-0584

Merrick Bank/CardWorks  
Attn: Bankruptcy  
Po Box 9201  
Old Bethpage, NY 11804

MidAmerica Bank & Trust Company  
Attn: Bankruptcy  
216 West Second St  
Dixon, MO 65459

Milestone Mastercard  
PO Box 4477  
Beaverton, OR 97076

N.E.O Urology Associates, Inc  
7430 Southern Blvd  
Boardman, OH 44512-5629

Nationwide Credit & Collection, Inc C/O  
PO Box 3219  
Oak Brook, IL 60522-3219

Professional Credit Analysts of Minnesot  
24 N Front St  
New Ulm, MN 56073-0099

Professional Credit Analysts of Minnesot  
PO Box 99  
New Ulm, MN 56073-0099

Professional Credit Analysts of MN  
24 N Front St  
Po Box 99  
New Ulm, MN 56073

Progressive Leasing (Kay Jewelers)  
256 West Data Drive  
Draper, UT 84020

Radiology Subspecialists of Northern Ill  
PO Box 74008693  
Chicago, IL 60674-8693

Radius Global Solutions  
PO Box 390846  
Minneapolis, MN 55439

Receivable Management Services  
PO Box 361348  
Columbus, OH 43236

Receivable Management Services  
PO Box 349  
Greenburg, IN 47240-0349

Richard J. Schmit, D.D.S  
910 W Lake St  
Suite 106  
Roselle, IL 60172

Santander Consumer USA  
Attn: Bankruptcy  
Po Box 961245  
Fort Worth, TX 76161

Sequium Asset Solutions, LLC  
1130 Northchase Parkway  
Suite 150  
Marietta, GA 30067

Slc Conduit I Llc  
Citibank USA, N.A  
Po Box 6191  
Sioux Falls, SD 57117

Smiles Dental Care; William G. Wolski, D  
96 N Bokelman  
Roselle, IL 60172

Sprint  
PO Box 629023  
El Dorado Hills, CA 95762-9023

Sterling Jewelers, Inc.  
Attn: Bankruptcy  
Po Box 1799  
Akron, OH 44309

Sterling Jewelers/Kay Jewelers  
Attn: Bankruptcy  
375 Ghent Rd  
Akron, OH 44333

Techniweld USA  
6205 Boat Rock Blvd  
Atlanta, GA 30336

The Dental Store  
1061 S Roselle Rd  
Schaumburg, IL 60193-3960

Transworld Systems  
500 Virginia Dr  
Suite 514  
FT Washington, PA 19034

US Dept of Education  
Attn: Bankruptcy  
Po Box 16448  
Saint Paul, MN 55116

US Dept. of Education/MOHELA  
Attn: Bankruptcy  
633 Spirit Dr  
Chesterfield, MO 63005

Visa Dept Store National Bank/Macy's  
Attn: Bankruptcy  
Po Box 8053  
Mason, OH 45040

West Central Anes Grp  
8386 Solutions Center  
Chicago, IL 60677

Winfield Laboratory Consultants, SC  
PO Box 120153  
Grand Rapids, MI 49528-0103

Winfield Pathology Consultants, SC  
PO Box 88087  
Chicago, IL 60680-1087

Winfield Radiology Consultants, SC  
6910 S Madison St  
WillowBrook, IL 60527-5504

Fill in this information to identify your case:

Debtor 1	<b>James B McKay, Jr.</b>		
	First Name	Middle Name	Last Name
Debtor 2			
(Spouse, if filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	<b>NORTHERN DISTRICT OF ILLINOIS</b>		
Case number:	<b>19-07584</b>		
(If known)			

Check if this is an amended plan, and list below the sections of the plan that have been changed.  
**2.3, 3.1, 5.2, 6.1, 7.1**

## Official Form 113 Chapter 13 Plan

12/17

### Part 1: Notices

**To Debtor(s):** This form sets out options that may be appropriate in some cases, but the presence of an option on the form does not indicate that the option is appropriate in your circumstances or that it is permissible in your judicial district. Plans that do not comply with local rules and judicial rulings may not be confirmable.

*In the following notice to creditors, you must check each box that applies*

**To Creditors:** Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. You should read this plan carefully and discuss it with your attorney if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you oppose the plan's treatment of your claim or any provision of this plan, you or your attorney must file an objection to confirmation at least 7 days before the date set for the hearing on confirmation, unless otherwise ordered by the Bankruptcy Court. The Bankruptcy Court may confirm this plan without further notice if no objection to confirmation is filed. See Bankruptcy Rule 3015. In addition, you may need to file a timely proof of claim in order to be paid under any plan.

The following matters may be of particular importance. **Debtors must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not Included" or if both boxes are checked, the provision will be ineffective if set out later in the plan.**

<b>1.1</b>	A limit on the amount of a secured claim, set out in Section 3.2, which may result in a partial payment or no payment at all to the secured creditor	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
<b>1.2</b>	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section 3.4.	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included
<b>1.3</b>	Nonstandard provisions, set out in Part 8.	<input type="checkbox"/> Included	<input checked="" type="checkbox"/> Not Included

### Part 2: Plan Payments and Length of Plan

**2.1 Debtor(s) will make regular payments to the trustee as follows:**

**\$267.00** per **Month** for **48** months

*Insert additional lines if needed.*

If fewer than 60 months of payments are specified, additional monthly payments will be made to the extent necessary to make the payments to creditors specified in this plan.

**2.2 Regular payments to the trustee will be made from future income in the following manner.**

*Check all that apply:*

- Debtor(s) will make payments pursuant to a payroll deduction order.
- Debtor(s) will make payments directly to the trustee.
- Other (specify method of payment):

**2.3 Income tax refunds.**

*Check one.*

- Debtor(s) will retain any income tax refunds received during the plan term.

Debtor

James B McKay, Jr.

Case number

19-07584

Debtor(s) will supply the trustee with a copy of each income tax return filed during the plan term within 14 days of filing the return and will turn over to the trustee all income tax refunds received during the plan term.

Debtor(s) will treat income refunds as follows:  
**Debtor(s) shall submit a copy of their federal income tax return to the Trustee each year, beginning with the tax return for the tax year in which this case was filed, no later than April 20th. The debtor(s) shall tender to the Trustee the amount of any tax refund in excess of \$1,200 each year, beginning the year after the plan is confirmed, within 7 days of receipt of the tax refund. Refunds must be received by the Trustee by June 30th of each year.**

#### 2.4 Additional payments.

Check one.

**None.** If "None" is checked, the rest of § 2.4 need not be completed or reproduced.

#### 2.5 The total amount of estimated payments to the trustee provided for in §§ 2.1 and 2.4 is \$12,816.00.

#### Part 3: Treatment of Secured Claims

##### 3.1 Maintenance of payments and cure of default, if any.

Check one.

**None.** If "None" is checked, the rest of § 3.1 need not be completed or reproduced.

The debtor(s) will maintain the current contractual installment payments on the secured claims listed below, with any changes required by the applicable contract and noticed in conformity with any applicable rules. These payments will be disbursed either by the trustee or directly by the debtor(s), as specified below. Any existing arrearage on a listed claim will be paid in full through disbursements by the trustee, with interest, if any, at the rate stated. Unless otherwise ordered by the court, the amounts listed on a proof of claim filed before the filing deadline under Bankruptcy Rule 3002(c) control over any contrary amounts listed below as to the current installment payment and arrearage. In the absence of a contrary timely filed proof of claim, the amounts stated below are controlling. If relief from the automatic stay is ordered as to any item of collateral listed in this paragraph, then, unless otherwise ordered by the court, all payments under this paragraph as to that collateral will cease, and all secured claims based on that collateral will no longer be treated by the plan. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of Creditor	Collateral	Current installment payment (including escrow)	Amount of arrearage (if any)	Interest rate on arrearage (if applicable)	Monthly payment on arrearage	Estimated total payments by trustee
Bank Of The West (Acct ending 0325)	2018 Chevrolet Cruze	\$369.12	Prepetition: \$0.00	0.00%	\$0.00	\$0.00

Disbursed by:

Trustee  
 Debtor(s)

Insert additional claims as needed.

##### 3.2 Request for valuation of security, payment of fully secured claims, and modification of undersecured claims. Check one.

**None.** If "None" is checked, the rest of § 3.2 need not be completed or reproduced.

##### 3.3 Secured claims excluded from 11 U.S.C. § 506.

Check one.

**None.** If "None" is checked, the rest of § 3.3 need not be completed or reproduced.

##### 3.4 Lien avoidance.

Check one.

**None.** If "None" is checked, the rest of § 3.4 need not be completed or reproduced.

Debtor James B McKay, Jr.

Case number 19-07584

**3.5 Surrender of collateral.**

*Check one.*

**None.** If "None" is checked, the rest of § 3.5 need not be completed or reproduced.

**Part 4: Treatment of Fees and Priority Claims**

**4.1 General**

Trustee's fees and all allowed priority claims, including domestic support obligations other than those treated in § 4.5, will be paid in full without postpetition interest.

**4.2 Trustee's fees**

Trustee's fees are governed by statute and may change during the course of the case but are estimated to be 10.00% of plan payments; and during the plan term, they are estimated to total \$1,281.60.

**4.3 Attorney's fees.**

The balance of the fees owed to the attorney for the debtor(s) is estimated to be \$4,000.00.

**4.4 Priority claims other than attorney's fees and those treated in § 4.5.**

*Check one.*

**None.** If "None" is checked, the rest of § 4.4 need not be completed or reproduced.

**4.5 Domestic support obligations assigned or owed to a governmental unit and paid less than full amount.**

*Check one.*

**None.** If "None" is checked, the rest of § 4.5 need not be completed or reproduced.

**Part 5: Treatment of Nonpriority Unsecured Claims**

**5.1 Nonpriority unsecured claims not separately classified.**

Allowed nonpriority unsecured claims that are not separately classified will be paid, pro rata. If more than one option is checked, the option providing the largest payment will be effective. *Check all that apply.*

The sum of \$ \_\_\_\_\_.  
 10.00 % of the total amount of these claims, an estimated payment of \$ 7,534.40.  
 The funds remaining after disbursements have been made to all other creditors provided for in this plan.

If the estate of the debtor(s) were liquidated under chapter 7, nonpriority unsecured claims would be paid approximately \$ 0.00. Regardless of the options checked above, payments on allowed nonpriority unsecured claims will be made in at least this amount.

**5.2 Maintenance of payments and cure of any default on nonpriority unsecured claims. *Check one.***

**None.** If "None" is checked, the rest of § 5.2 need not be completed or reproduced.

The debtor(s) will maintain the contractual installment payments and cure any default in payments on the unsecured claims listed below on which the last payment is due after the final plan payment. These payments will be disbursed either by the trustee or directly by the debtor(s), as specified below. The claim for the arrearage amount will be paid in full as specified below and disbursed by the trustee. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of Creditor	Current installment payment	Amount of arrearage to be paid	Estimated total payments by trustee
<b>US Dept. of Education/MOHELA</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

Disbursed by:

Trustee  
 Debtor(s)

Debtor James B McKay, Jr.

Case number 19-07584

Insert additional claims as needed.

**5.3 Other separately classified nonpriority unsecured claims. Check one.**

**None.** If "None" is checked, the rest of § 5.3 need not be completed or reproduced.

**Part 6: Executory Contracts and Unexpired Leases**

**6.1 The executory contracts and unexpired leases listed below are assumed and will be treated as specified. All other executory contracts and unexpired leases are rejected. Check one.**

**None.** If "None" is checked, the rest of § 6.1 need not be completed or reproduced.

**Assumed items.** Current installment payments will be disbursed either by the trustee or directly by the debtor(s), as specified below, subject to any contrary court order or rule. Arrearage payments will be disbursed by the trustee. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of Creditor	Description of leased property or executory contract	Current installment payment	Amount of arrearage to be paid	Treatment of arrearage (Refer to other plan section if applicable)	Estimated total payments to trustee
Armco, LLC dba Aaron's	Sofa and loveseat couch	\$92.17	\$0.00		\$0.00
The Moorings	Monthly residential lease	\$715.00	\$0.00		\$0.00

Insert additional contracts or leases as needed.

**Part 7: Vesting of Property of the Estate**

**7.1 Property of the estate will vest in the debtor(s) upon**

Check the applicable box:

plan confirmation.  
 entry of discharge.  
 other: \_\_\_\_\_

**Part 8: Nonstandard Plan Provisions**

**8.1 Check "None" or List Nonstandard Plan Provisions**

**None.** If "None" is checked, the rest of Part 8 need not be completed or reproduced.

**Part 9: Signature(s):**

**9.1 Signatures of Debtor(s) and Debtor(s)' Attorney**

If the Debtor(s) do not have an attorney, the Debtor(s) must sign below, otherwise the Debtor(s) signatures are optional. The attorney for Debtor(s), if any, must sign below.

X /s/ James B McKay, Jr.

X \_\_\_\_\_

James B McKay, Jr.

Signature of Debtor 2

Signature of Debtor 1

Executed on May 16, 2019

Executed on \_\_\_\_\_

X /s/ David H. Cutler

Date May 16, 2019

David H. Cutler

Debtor

James B McKay, Jr.

Case number

19-07584

Signature of Attorney for Debtor(s)

By filing this document, the Debtor(s), if not represented by an attorney, or the Attorney for Debtor(s) also certify(ies) that the wording and order of the provisions in this Chapter 13 plan are identical to those contained in Official Form 113, other than any nonstandard provisions included in Part 8.

Debtor

James B McKay, Jr.

Case number

19-07584

### **Exhibit: Total Amount of Estimated Trustee Payments**

The following are the estimated payments that the plan requires the trustee to disburse. If there is any difference between the amounts set out below and the actual plan terms, the plan terms control.

a. <b>Maintenance and cure payments on secured claims (Part 3, Section 3.1 total)</b>	<u><b>\$0.00</b></u>
b. <b>Modified secured claims (Part 3, Section 3.2 total)</b>	<u><b>\$0.00</b></u>
c. <b>Secured claims excluded from 11 U.S.C. § 506 (Part 3, Section 3.3 total)</b>	<u><b>\$0.00</b></u>
d. <b>Judicial liens or security interests partially avoided (Part 3, Section 3.4 total)</b>	<u><b>\$0.00</b></u>
e. <b>Fees and priority claims (Part 4 total)</b>	<u><b>\$5,281.60</b></u>
f. <b>Nonpriority unsecured claims (Part 5, Section 5.1, highest stated amount)</b>	<u><b>\$7,534.40</b></u>
g. <b>Maintenance and cure payments on unsecured claims (Part 5, Section 5.2 total)</b>	<u><b>\$0.00</b></u>
h. <b>Separately classified unsecured claims (Part 5, Section 5.3 total)</b>	<u><b>\$0.00</b></u>
i. <b>Trustee payments on executory contracts and unexpired leases (Part 6, Section 6.1 total)</b>	<u><b>\$0.00</b></u>
j. <b>Nonstandard payments (Part 8, total)</b>	<u><b>\$0.00</b></u>
	+
<b>Total of lines a through j</b>	<b>\$12,816.00</b>